

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85378 of 2019

Arising Out of PS. Case No.-329 Year-2019 Thana- RAMPUR District- Gaya

SUMIT KUMAR Son of Lalan Sharma Resident of Magadh Medical Colony,
Road No. 17, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends his arrest in connection with
Rampur P.S. Case No. 329 of 2019 instituted for the offence
under Section(s) 366A of the Indian Penal Code.

It is submitted by the petitioner's counsel that allegation
of taking away the daughter of informant is belied by the
deposition of the victim which has been recorded before the
Court U/s 164 Cr.P.C. The statements of victim is annexed as
Annexure-2 to bail petition.

From perusal of the same, it appears that she had gone on
her own volition along with Sumit Kumar (petitioner). It is
further stated by the victim, in her deposition, that she
stayed with the petitioner with honour and has returned on her



own volition.

The learned APP for the State opposed the prayer for bail.

In view of the submissions advanced on behalf of the petitioner and having gone through the deposition of the victim girl, this Court is inclined to extend the privilege of bail to the petitioner.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **CJM Gaya**, in connection with **Rampur P.S. Case No. 329 of 2019**, subject to the conditions as laid down under Section 438(2) Cr.P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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